

AGENT ORANGE REGISTRY (AOR) PROGRAM

1. REASON FOR ISSUE: This Veterans Health Administration (VHA) Directive provides clinical and administrative policies related to the maintenance of the VHA Agent Orange Registry (AOR) program.

2. SUMMARY OF MAJOR CHANGES: Major changes include the:

a. Addition of new conditions e.g., prostate cancer and peripheral neuropathy (transient acute or subacute), which the Department of Veterans Affairs (VA) presumptively now recognizes as service-connected for veterans who had active military service in the Republic of Vietnam between 1962 and 1975;

b. Provision of AOR examinations to veterans who may have been exposed to Agent Orange during their military service in Korea during 1968 or 1969; and

c. The evaluation and documentation of risk factors for Hepatitis C, for Vietnam Veterans and providing antibody testing based on these risk factors (refer to VHA Handbook 1302.1, App. A).

3. RELATED ISSUES: VHA Handbook 1302.1.

4. RESPONSIBLE OFFICIALS: The Director, Environmental Agents Service (131), is responsible for the contents of this VHA Handbook. Questions may be referred to that individual at VHA Headquarters. **NOTE:** *Questions relating to eligibility for VA care, including enrollment, are to be directed to the eligibility staff at each facility; it is available on Intranet at: <http://www.va.gov/health/elig>*

5. RESCISSIONS: This VHA Directive rescinds Manual M-10, Environmental Medicine, Part I, Agent Orange Program, Chapters 1 and 2, dated May 16, 1994.

6. RECERTIFICATION: This document is scheduled for recertification on or before the last working day of October 2005.

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Under Secretary for Health

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AGENT ORANGE REGISTRY (AOR) PROGRAM

1. PURPOSE: This Veterans Health Administration (VHA) Directive provides clinical and administrative policies related to the maintenance of the VHA Agent Orange Registry (AOR) program.

2. BACKGROUND

a. The Veterans Health Administration (VHA) maintains an AOR program of physical examinations for eligible, concerned, Vietnam veterans who served in the Republic of Vietnam between 1962 and 1975. Public Law 100-687, "Veterans' Judicial Review Act of 1988," requires the Secretary of Veterans Affairs to organize and update the information contained in the Department of Veterans Affairs (VA) AOR to enable VA to notify Vietnam era veterans who served in the Republic of Vietnam of any increased health risks resulting from exposure to dioxin or other toxic agents. This AOR program has assisted Vietnam Veterans by providing: an entrance into VA health care, the opportunity for obtaining a comprehensive military history, a medical evaluation, and a means of veteran outreach relative to future developments and access to VA's Agent Orange Review newsletter.

b. The Department of Defense (DOD) recently released information that the herbicide Agent Orange was used in Korea in 1968 and 1969. DOD states that 21,000 gallons of Agent Orange were sprayed only by Republic of Korea troops in an area from the Civilian Control Line to the southern boundary of the Demilitarized Zone (DMZ). However, it is plausible that approximately 80,000 United States service members in the area near spraying operations may have been exposed to Agent Orange during this period.

c. **Special Treatment Authority (Vietnam Veterans).** Congress granted special eligibility for VA care to qualifying Vietnam veterans possibly exposed to dioxin during their service in Vietnam. In accordance with Title 38 United States Code (U.S.C.) 1710(a)(2)(F) and 1710(e)(1)(A), Vietnam veterans exposed to dioxin are eligible for hospital care, medical services and nursing home care for any disability, notwithstanding that there is insufficient medical evidence to conclude that such disability may be associated with dioxin exposure. Thus, veterans who are not entitled to a presumption of service-connection for a disability(s) may nonetheless have mandatory eligibility for VA health care for the disability if it is found by VA to be possibly associated to dioxin exposure during service in Vietnam.

d. VA has determined that veterans who had military service in Korea during 1968 or 1969 are eligible for the AOR examination, consultation, and counseling as authorized under section 703 of Public Law 102-585 (1992).

3. POLICY: It is VHA policy:

a. That a thorough AOR examination be provided to any Vietnam era veterans who served in the Republic of Vietnam between 1962 and 1975 regardless of length of service (i.e., 1 hour, 1 day, 1 month, 1 year, etc.) and an evaluation and documentation of risk factors for Hepatitis C and providing antibody testing based on risk factors will be provided to these Vietnam veterans

(see VHA Handbook 1302.1, App. A). **NOTE:** *Verification of service during the Vietnam era will be required.*

b. That a thorough AOR examination will be provided to veterans who served in Korea in 1968 or 1969 and who request an AOR Examination (subpar. 2d). The results of such examination will be included in the AOR and in the AOR examination program. **NOTE:** *These participants shall be informed that this policy is relevant only to providing the AOR examination and not relevant to compensation or access to priority health care.*

4. ACTION: Each VA medical center Director is responsible for establishing and maintaining an Agent Orange Registry and providing treatment to eligible veterans who served in the Republic of Vietnam between 1962 and 1975. Veterans who served in Korea in 1968 or 1969 will be provided AOR examinations and included in the AOR. Special treatment authority (in 38 U.S.C. 1710(c)(2)(F), 1710(e)(1)(A)) does not extend to them.

5. REFERENCES

- a. Public Law 100-687, "Veterans' Judicial Review Act of 1988."
- b. Public Law 102-585, "Veterans Health Care Act of 1992."